

RWANDA (Tier 2)

Rwanda is a source and, to a lesser extent, destination country for women and children subjected to forced labor and sex trafficking. Rwandan girls and, to a lesser extent, boys are exploited in domestic servitude within the country; some of these children experience nonpayment of wages or physical or sexual abuse within their employer's household. Older females offer vulnerable younger girls room and board, eventually pushing them into prostitution to pay for their keep. In limited cases, trafficking is facilitated by women who supply other women or girls to clients or by loosely organized prostitution networks, some operating in secondary schools and universities. Brothel owners reportedly supply girls and young women in prostitution to clients staying at hotels for conferences. Rwandan children also are recruited and transported to Kenya, Uganda, and Tanzania, where they are subjected to forced agricultural labor, domestic servitude, and child prostitution, sometimes after being recruited by peers. In 2010, a female Rwandan trafficking victim was identified in Israel. Small numbers of children from neighboring countries are victimized in prostitution and forced labor after being lured to Rwanda.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government referred sex trafficking victims for protective services, successfully repatriated several foreign victims, and continued its provision of short-term care and rehabilitative services to child ex-combatants. Rwanda remains the only African country in which the government is undertaking virtually all activities related to the demobilization and reintegration of former child soldiers, some of whom are trafficking victims. While government officials are quick to recognize and respond to suspected cases of transnational child trafficking, some officials reflect a lack of awareness of internal trafficking and do not believe it is possible, based on the country's small size and its effective security measures; however, the government continues to make the promotion and protection of women's and children's rights a priority. Additional training is needed to increase officials' awareness of the nature of human trafficking and to provide practical skills for responding to it.

Recommendations for Rwanda: Enforce the trafficking provisions in the 2009 Labor Law through increased investigations and prosecutions of trafficking offenders; enact and enforce trafficking provisions in the draft penal code, thereby creating an easily understandable legal regime with clear definitions of human trafficking; launch a nationwide anti-trafficking public awareness campaign; and establish mechanisms for providing increased protective services to victims, possibly through the forging of partnerships with NGOs or international organizations.

Prosecution

The government demonstrated inadequate anti-trafficking law enforcement efforts during the reporting period, as it failed to bring any trafficking offenders to justice. Law No. 58/2008 outlaws, but does not define sex trafficking and prescribes sufficiently stringent punishments of 15 to 20 years' imprisonment, penalties that are commensurate with those prescribed for other serious offenses, such as rape. Article 8 of the "Law Regulating Labor in Rwanda" (13/2009) prohibits forced labor and Article 167 prescribes sufficiently stringent punishments of three to five years' imprisonment; Article 72 prohibits subjecting children to slavery, child trafficking, debt bondage, forced labor, armed conflict, and child prostitution and Article 168 prescribes punishment of six months to 20 years' imprisonment for these offenses. In May 2010, the government completed the official revisions to the penal code that contain articles defining and prohibiting all forms of human trafficking; the entire draft code remained under consideration by the Senate at the end of the reporting period.

Although the Rwandan National Police's (RNP) three-officer anti-trafficking unit investigated several potential trafficking cases during the reporting period, the government did not prosecute or convict any trafficking offenders. Two cases referred to the National Public Prosecution Authority during the previous reporting period were dropped due to lack of evidence. In July 2010, on a tip from a victim's parent, police

investigated a car dealer suspected of luring young Burundian girls with promises of money to Rwanda for the purposes of prostitution. Officers rescued four victims from a house where they were being held and transferred them to the national police hospital for counseling and medical care. Although the suspect continues to elude capture, authorities worked with Burundi's Interpol office to investigate the case further and reunite the girls with their families. While labor inspectors issued warnings and levied fines against those illegally employing children, no cases of forced labor were criminally investigated or prosecuted during the year. In January 2011, the RNP provided a criminal law and investigation course to 50 officers that included sessions on human trafficking; it conducted a second offering of this course in March 2011. During the year, it also sent officers to specialized anti-trafficking training courses in Egypt and India, as well as provided a training facility for a three-day course on investigating trafficking cases conducted by a foreign government in January 2011.

Protection

While the government continued to offer unparalleled care for former child combatants some of whom are trafficking victims, it provided inconsistent protective services to victims of sex or labor trafficking. The Rwandan Demobilization and Reintegration Commission (RDRC), with government and World Bank funding, continued operation of a center for child ex-combatants in Muhazi, which provided three months of care, including psycho-social counseling, to children returned from the DRC by the UN Mission to the Congo. Forty-seven children arrived at the center in 2010, followed by an additional six in January 2011. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized families to their acceptance of the child's return; in January 2011, RDRC staff reunited 19 children with relatives, with 29 still residing at the center at the close of the reporting period. During the year, police identified and referred at least four sex trafficking victims to the Isange Center, a one-stop holistic facility within the National Police Hospital that provided medical exams, counseling, short-term shelter, and police assistance to victims of gender-based violence (GBV), including child domestic workers and children in prostitution. The center, however, did not specifically screen for trafficking indicators among its clients. The RNP, in cooperation with Burundian law enforcement, repatriated the four victims to Burundi. The police headquarters in Kigali continued operating a hotline for reporting GBV crimes; while the hotline reportedly received information related to trafficking cases during the year, police indicated that the majority of actionable information was obtained through complaints made by relatives of child trafficking victims. The RNP's fully-equipped examination rooms in Kigali, Gasabo, and Rwamagana provided police assistance and counseling to victims of GBV; it is unknown whether any of these rooms provided services to trafficking victims during the year. The checklist used by police when working with victims requires securing social, medical, and counseling services; the presence of a victim's advocate during investigations; and referrals of victims to NGOs, religious entities, or community groups for further assistance.

The government operated two transit centers in the south and west of the country for screening and referring street children, some of whom were victims of domestic servitude or prostitution, to longer-term care facilities. In 2010, the government provided approximately \$150,000 to support eight private or NGO-run centers that afforded 1,988 street children with shelter, basic needs, and rehabilitative services. During the year, however, police arrested girls in prostitution and detained them at Kigali City's Gikondo transit center; some girls were kept there for days or months without being charged with a crime or interviewed in conjunction with a law enforcement investigation. Other children in prostitution, however, were screened by the Ministry of Gender and Family Promotion and referred to care centers for street children or returned to their families. The government has neither developed a system for proactively identifying human trafficking victims among vulnerable populations nor created a systematic referral process to transfer such victims – including those detained at Gikondo – to service providers for care. The government encouraged victims to participate in the investigation and prosecution of trafficking crimes. Beyond providing a stay of one month, the government did not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

Prevention

While the government maintained its anti-trafficking prevention efforts during the reporting period, there continues to be a lack of understanding among the government and Rwandan society of the full scope of the country's human trafficking problem. Some government officials do not respond to internal trafficking with the same seriousness as cases of transnational trafficking. In March 2011, senior police officers appeared on a televised talk show to warn the population about the dangers of human trafficking. The RNP also sensitized school children, local leaders, and members of community policing committees regarding transnational human trafficking crimes during the year, providing warnings on the danger of engaging in prostitution and being lured through promises of education and a better life abroad. Police and immigration officials maintained strict border control measures as part of a strategy to prevent transnational child trafficking, preventing eight children from leaving the country with non-relative adults, 72 from crossing borders without proper documentation, and five from traveling alone in 2010. The Ministry of Youth and the National AIDS Control Commission continued a campaign against the commercial sexual exploitation of children by people identified by the government as "sugar daddies" and "sugar mommies"; the campaign, entitled SINIGURISHA ("I am not for sale!"), included TV and radio spots, print materials, and billboards. During the reporting period, local observers reported a decrease in the use of child domestic workers in some areas of the country, resulting from vigorous police enforcement of a recent law mandating children attend nine years of basic education and local communities' enforcement of bylaws against child labor. The Ministry of Public Service and Labor's (MIFOTRA) 30 district labor inspectors – a number inadequate to fulfill their monitoring mandate – held monthly sensitization activities and quarterly trainings for employers and local authorities on child labor regulations and issued warnings to those who violated such statutes. The government, however, did not provide these inspectors with adequate resources, including transport, to identify and prevent the use of exploitative child labor effectively. In January 2011, MIFOTRA, the Ministry of Education, an NGO, and foreign government officials provided a half-day training on child labor and trafficking to 28 labor inspectors. The government trained Rwandan troops on gender sensitivity and sexual exploitation prior to their deployment to UN peacekeeping missions in Darfur.